

## DEPARTMENT OF THE ARMY PERMIT

Permittee: General Public

Permit Number: Regional General Permit Number GP-031

Issuing Office: U.S. Army Engineer District, Sacramento  
Corps of Engineers  
1325 "J" Street  
Sacramento, California 95814-2922

Note: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

### Project Description:

Certain work, structure, discharges of dredged or fill material associated with the solar extraction of minerals around the Great Salt Lake in Salt Lake, Tooele, Weber, and Box Elder Counties, and Sevier Lake in Millard County, Utah. Discharges associated with the following activities are authorized: raising and widening existing dikes, new dike construction within the confines of previously existing dikes, dike repair and stabilization work, construction and maintenance of drainage canals and feeder ditches, construction of pump stations and auxiliary buildings, and stockpiling salt during harvesting. **All discharges will be confined to those areas lying within existing dike systems. Discharges associated with expanding solar ponds lakeward of existing dikes, into other waters of the United States landward of existing dikes, or into other waters of the United States outside the existing diked areas are not authorized by this general permit.**

### Project Location:

Those portions of Salt Lake, Tooele, Weber, and Box Elder Counties, Utah adjacent to the Great Salt Lake and those portions of Millard County, Utah adjacent to Lake Sevier.

### Notification Procedures:

Those proposing to do work under this general permit are required to notify the Corps of Engineers at least 30 days prior to beginning construction. This notification will include the name, address, and telephone number of the party responsible for the work, a project description (either written or plan drawings), and a location map. This notification should be sent to the Utah Regulatory Office, U.S. Army Corps of Engineers, 1403 S. 600 W. Suite A, Bountiful, Utah 84010.

**Permit Conditions:****General Conditions:**

1. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places. Any activity which may affect Historic properties listed, or eligible for listing, in the National Register of Historic Places is not authorized until the Sacramento District has complied with the provisions of 33 CFR 325, appendix C.
2. Any activity authorized or agreed to under this permit shall not jeopardize a listed species as identified under the Endangered Species Act, or destroy or adversely modify the critical habitat of such species.
3. You must maintain the activity authorized by this permit in good condition and in conformance with the terms of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
4. If you sell the property associated with this permit, you must give written notice to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

**Special Conditions:**

1. That all work shall be confined to those areas located within existing dikes at on-going solar evaporation facilities.
2. That no dredged or fill material will be placed in areas containing wetland vegetation.
3. That no areas containing wetland vegetation will be isolated or destroyed by work performed under this general permit.
4. That no wetlands or other waters of the United States will be affected landward of existing dikes.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity above pursuant to:
  - ( ) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
  - (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
  - ( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
2. Limits of this authorization:
  - a. This permit does not obviate the need to obtain Federal, state, or local authorizations required by law.
  - b. This permit does not grant any property rights or exclusive privileges.
  - c. This permit does not authorize any injury to the property or rights of others.
  - d. This permit does not authorize interference with any existing or proposed Federal projects.
3. Limits of Federal liability. In issuing this permit, The Federal Government does not assume any liability for the following:
  - a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
  - b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
  - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
  - d. Design or construction deficiencies associated with the permitted work.
  - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
4. Reliance on Applicant's data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant.

Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

Issued for and in behalf of Colonel Michael J. Walsh, District Engineer.

Art Champ, Chief, Regulatory Section